

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND**

JUSTIN MILLS

\*

Plaintiff

\*

v.

\*

Civil No. RDB 15-495

ANNE ARUNDEL COUNTY,  
MARYLAND, *et al.*

\*

\*

Defendants

\* \* \* \* \*

**LINE TO WITHDRAW FIRST ARGUMENT IN  
MOTION TO DISMISS OF DEFENDANT BILTER**

Comes now the Defendant, Douglas Bilter, by undersigned counsel, and withdraws his first argument in his motion to dismiss on the following basis:

1. That the first argument Defendant Bilter asserted in the motion to dismiss (document 18) was an entitlement to dismissal based on insufficient service of process pursuant to Rule 12(b)(5) of the Federal Rules of Civil Procedure.
2. That based on additional investigation and information, the Defendant would respectfully withdraw this argument based on insufficiency of service of process.
3. That Defendant Bilter asserts that the Amended Complaint should still be dismissed on the remaining bases raised in the motion and memorandum.

Respectfully submitted,

NANCY McCUTCHAN DUDEN  
County Attorney

\_\_\_\_/s/\_\_\_\_\_

Jay H. Creech  
Senior Assistant County Attorney  
Anne Arundel County Office of Law  
2660 Riva Road, 4<sup>th</sup> Floor  
Annapolis, Maryland 21401  
(410) 222-7888  
Bar Number 00839  
*Attorney for Defendant Bilter*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 17<sup>th</sup> day of July, 2015, a copy of the foregoing line was served on the notice of electronic filing pursuant to Local Rule 102.1(c) on:

Abraham Fernando Carpio  
Jonathan R. Carroll  
*Attorneys for Plaintiff*

Jennifer E. Cameron  
Michelle J. Marzullo  
*Attorneys for Defendants PPE Casino Resorts Maryland, LLC, d/b/a Maryland Live! Casino and The Cordish Companies, Inc.*

And sent via United States Postal Service, postage prepaid, to:

Giorgio Isella 601 East Pratt Street Suite 600 Baltimore, Maryland 21202	Christopher Coulter 7002 Arundel Mills Circle Suite 7777 Hanover, Maryland 21706
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\_\_\_\_/s/\_\_\_\_\_  
Jay H. Creech